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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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JUL 25 2005

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

13	UNITED STATES OF AMERICA,)	No. CR 05-00442 RMW
14	Plaintiff,)	
15	v.)	[PROPOSED] ORDER EXCLUDING TIME
16)	FROM THE SPEEDY TRIAL ACT
17	RAFAEL RAMOS-ROJAS,)	CALCULATION (18 U.S.C. §§ 3161(h)(8)(A)
18	Defendant.)	& 3161(h)(8)(B)(iv))
19)	

20 On July 21, 2005, the parties appeared before the Court for an arraignment on an
 21 indictment. At the hearing, the defendant entered a plea of not guilty and the undersigned parties
 22 requested that the matter be placed on Judge Whyte's calendar on August 8, 2005 at 9:00 a.m. In
 23 addition, the parties stipulated and agreed that an exclusion of time under Speedy Trial Act from
 24 July 21, 2005 until August 8, 2005 was appropriate based on the defendant's need for effective
 25 preparation of counsel and continuity of counsel. AFPD Vinnard, who represents the defendant,
 26 will be out of town on work-related matters until the end of July and needs additional time to
 27 review the discovery and consult with the defendant.
 28

[PROPOSED] ORDER TO EXCLUDE TIME
CR 05-00442 RMW

1 SO STIPULATED.

KEVIN V. RYAN
United States Attorney

2 DATED: _____

3 SUSAN KNIGHT
4 Assistant United States Attorney

5 DATED: _____

6 ANGELA HANSEN
7 Assistant Federal Public Defender

8 Accordingly, the Court HEREBY ORDERS that a status hearing be scheduled for August
9 8, 2005 at 9:00 a.m. before the Honorable Judge Whyte.

10 The Court FURTHER ORDERS that the time between July 21, 2005 and August 8, 2005
11 is excluded under the Speedy Trial Act. The Court finds that the failure to grant the requested
12 continuance would deny the defendant effective preparation of counsel and continuity of counsel.
13 The Court finds that the ends of justice served by granting the requested continuance outweigh
14 the best interest of the public and the defendant in a speedy trial and in the prompt disposition of
15 criminal cases. The Court therefore concludes that this exclusion of time should be made under
16 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

17 IT IS SO ORDERED.

18 Dated

19 7/27/05

20 
21 PATRICIA V. TRUMBULL
22 Chief United States Magistrate Judge